



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HEDGEYE RISK MANAGEMENT, LLC,

Plaintiff,

- against -

DARIUS DALE,

Defendant.
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21-CV-3687 (ALC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

As per the hearing held on April 28, 2022:

1. The Court's February 24, 2022 order at Dkt. 188 is clarified and modified as follows. Paragraph 3 does not apply to the "Central Park Memo." Paragraph 2 is terminated.
2. The parties' sealing requests are resolved as follows. The request to maintain sealing of the Central Park Memo (see Dkt. 194-7), the Longbow text (see Dkt. 200-8), the Hedgeye video, and any portions of briefs referring to those materials, is DENIED. The request to maintain sealing of the emails at Dkt. 194-1 is GRANTED.
3. The request to preclude Plaintiff from relying on the notebooks allegedly taken by Dale as trade secrets is denied without prejudice. As stated in Plaintiff's April 21, 2022 letter (Dkt. 223), Hedgeye will not allege any particular information contained in the notebooks constitutes a trade secret. Hedgeye is precluded from claiming otherwise. Although Plaintiff claims that the "notebooks

themselves” are trade secrets, Defendants retain the right to contest that proposition at an appropriate juncture.

4. By **May 5, 2022**, Defendant shall file a letter setting forth what is entailed in terms of time, cost, or other burden of identifying, isolating, and producing indicia of deleted documents from Dale's personal laptop computer that would be responsive to Hedgeye's document requests. Plaintiff may submit a response no later than **May 12, 2022**.
5. Plaintiff shall produce to Defendant all communications from Hedgeye executives to third parties concerning Defendant Dale or the instant litigation. At the hearing, Plaintiff represented that it had done so.

The Clerk of Court is respectfully requested to terminate the motions at Dkts. 168, 195, 201, 202, 206, 220, 221, and 222.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: April 29, 2022
New York, New York

Copies transmitted this date to all counsel of record.